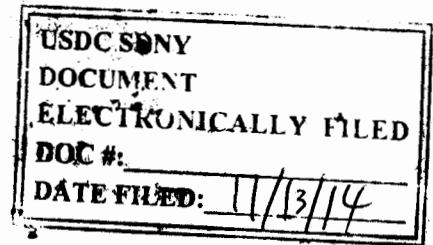


Hellerstein, A.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
ALDO VERA, JR., as personal representative of
the Estate of Aldo Vera, Sr.,

Plaintiff,

v.

THE REPUBLIC OF CUBA,

Defendant.
-----X

No. 12 Civ. 1596 (AKH)

**STIPULATION AND ~~PROPOSED~~ ORDER RESOLVING CERTAIN MATTERS AS
BETWEEN PLAINTIFF AND NON-PARTY STANDARD CHARTERED BANK**

WHEREAS, on or about October 25, 2012, Plaintiff served non-party Standard Chartered Bank ("Standard Chartered") with an information subpoena (the "Information Subpoena");

WHEREAS, on November 13, 2013, Plaintiff moved the Court to compel a response by Standard Chartered to the Information Subpoena (the "Motion To Compel," ECF No. 337);

WHEREAS, on February 12, 2014, Plaintiff filed an Amended Omnibus Petition for Turnover Order (the "Turnover Petition," ECF No. 423), seeking the turnover of, *inter alia*, certain transactions blocked by Standard Chartered's New York branch in accordance with the Cuban Assets Control Regulations;

WHEREAS, on September 10, 2014, the Court entered an Order (the "September 10 Order," ECF No. 677), granting Plaintiff's Motion To Compel;

WHEREAS, on September 17, 2014, the United States Court of Appeals issued an opinion in the case captioned *Gucci America, Inc. v. Bank of China*, 768 F.3d 122 (2d Cir. 2014);

WHEREAS, in light of *Gucci*, on September 24, 2014, Standard Chartered moved the Court, pursuant to Local Civil Rule 6.3, for reconsideration of the September 10 Order (the "Motion for Reconsideration," ECF No. 699);

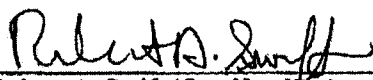
WHEREAS, during a status conference held on November 5, 2014, the Court heard argument on the Motion for Reconsideration; and

WHEREAS, following the status conference, counsel for Plaintiff and Standard Chartered conferred and reached an agreement, subject to the Court's approval, to resolve certain matters between them;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED that:

1. The September 10 Order is **VACATED** as to Standard Chartered. The Clerk shall strike Standard Chartered from document number 677.
2. Standard Chartered's Motion for Reconsideration is **WITHDRAWN** as moot. The Clerk shall mark document number 699 as terminated.

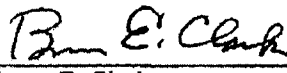
3. Nothing in this Order shall affect the Turnover Petition, as to which Plaintiff and Standard Chartered reserve all of their rights and defenses.


Robert A. Swift (*Pro Hac Vice*)

KOHN, SWIFT & GRAF, P.C.
One South Broad Street, 21st Floor
Philadelphia, PA 19107
Telephone: (215) 238-1700

Dated: November 11, 2014

Attorney for Plaintiff Aldo Vera, Jr.



Bruce E. Clark

SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000

Dated: November 10, 2014

*Attorney for Non-Party Standard
Chartered Bank*

SO ORDERED:


Alvin K. Hellerstein
United States District Judge

xmc
11/12/14